REMARKS

Rejections under 35 USC 101

The examiner has rejected Independent claims 1-6 and 25-34 under 35 USC 101 because the claimed invention is directed to non-statutory matter. Applicants have amended claims 1 and 25 to more distinctly point out and claim what the Applicants regard as their invention. Applicants submit that the claims as amended are in condition for allowance and respectfully request reconsideration and withdrawal of the examiner's rejections.

Rejections under 35 USC §102

Claims 1-6 and 13-18 are rejected under 35 USC §102, as being anticipated by DeMarcken (U.S. Patent 6,275,808). Applicants have carefully reviewed DeMarcken and respectfully submit that DeMarcken does not teach every limitation of claims 1-6 and 13-18 as amended.

Specifically, DeMarcken does not teach or suggest

1...querying the user on a display screen of the computing device for a first set of input data, the input data being at least one departure airport or geography range and at least one arrival geography range associated with the travel departure and arrival;

...displaying on the display screen of the computing device the information associated with the selected travel departure and arrival information, including a list of at least one departure airport selected or within the selected travel departure geography and a list of at least one arrival airport within the selected travel arrival geography;

...the computing device querying a travel database comprising travel data including separately maintained travel schedule data items, fare data items, and fare limitation information for matching itineraries with all possible

departure and arrival airport, date, time, length of stay, and number of connections combinations;

13... querying means for querying the user for input data, the input data being at least one departure airport or geography range and at least one arrival geography range associated with the travel departure and arrival;

...querying means for querying a travel database comprising travel data including separately maintained travel schedule data items, fare data items, and fare limitation information for matching itineraries with all possible departure and arrival airport, date, time, length of stay, and number of connections combinations

The examiner asserts that DeMarcken discloses "querying the user for a first set of input data, the input data being at least one departure airport or geography range and at least one arrival geography range associated with the travel departure and arrival" (claim 1). The examiner refers to Column 59, lines 53-56 of DeMarcken, which states "The query window 360 includes a user entry area 361 for entering a destination code or origin code (as appropriate) such as a three letter code or locations such as city, region or country..." DeMarcken, thus, requires the user to have the specific information about airports within the user's travel plans. By contrast, the claimed invention provides for an input of a "geography range." The claims of the subject application enable the user the ability to choose from either a known departure and destination points or choosing a general geographic area without knowing airport identification letters or cities where airports are located which may not be known to the user. Although, the examiner points to Figure 21 of DeMarcken as exemplifying this choice of regions, Applicant's respectfully submit that Figure 21 fails to display "... a list of at least one departure airport selected or within the selected travel departure geography and a list of at least one arrival airport within the selected travel arrival geography." Figure 21 provides airports located in a country that

the user may choose but not a general geographic region such as W. Europe as shown is in the subject application Figure 1b. The applicant's claimed invention can guide the user to the available cities, airports, departure and arrival time possibilities without the user having specific information other than the general geographic area to which they wish to travel. Accordingly, Applicants respectfully submit that DeMarcken fails to disclose all of the elements of claim 1 and claims 2-6 by virture of the dependence upon claim 1 and respectfully request that the examiner's rejection of claims 1-6 be withdrawn.

The examiner also asserts that DeMarcken discloses "querying means for querying the user for input data, the input data being at least one departure airport or geography range and at least one arrival geography range associated with the travel departure and arrival;" (claim 13). The examiner refers to Column 59, lines 53-56 of DeMarcken, which states "The query window 360 includes a user entry area 361 for entering a destination code or origin code (as appropriate) such as a three letter code or locations such as city, region or country..." DeMarcken, again, requires the user to have the specific information about airports within the user's travel plans. By contrast, the claimed invention provides for an input of a "geography range." The claims of the subject application enables the user the ability to choose from either a known departure and destination points or choosing a general geographic area without knowing airport identification letters or cities where airports are located which may not be known to the user. Although, the examiner points to Figure 21 of DeMarcken as exemplifying this choice of regions, Applicant's respectfully submit that Figure 21 fails to display "... at least one departure airport or geography range and at least one arrival geography range associated with the travel departure and arrival". Figure 21 provides airports located in a country that the user may choose but not a general geographic region such as W. Europe as shown in the subject application Figure 1b. The applicant's claimed invention can guide the user to the available, cities, airports, departure and arrival time possibilities without the user having specific information other than the general geographic area to which they wish to travel. Accordingly Applicants respectfully submit that DeMarcken fails to

disclose all of the elements of claim 13 and claims 14-18 by virture of the dependence upon claim 13 and respectfully request that the examnier's rejection of claims 13-18 be withdrawn.

Furthermore, the examiner asserts that DeMarcken discloses "all possible departure and arrival airport, date, time, length of stay, and number of connections combinations" (Claim 1,13). The examiner refers to column 59, lines 57-60 of DeMarcken which states, " Region 364 depicts a listing of airports in a region about the location entered in area 361, whereas area 364 lists origins and destinations of a flight slice (none shown) that has been selected for the query. In addition, in the entry area 361 the user can enter more than one airport or region." DeMarcken, therefore, requires the user to choose from a list of airports which depends on the user having familiarity with airports in the region selected. The examiner further refers to Column 60 lines 31-67 which states in part, "The window 370 has a graphical region that provides a visual representation of pricing solutions extracted from the pricing graph 38." DeMarcken is limited to displaying combinations around pricing. The Applicant's claimed invention guides the user through a list of possible departure/arrival points without already having knowledge of those points. The claimed invention of the subject application is further distinguished from DeMarcken by providing the user with an extensive list of possible itineraries with various ways of sorting the user's choices. Specifically, DeMarcken does not disclose, " all possible departure and arrival airport, date, time, length of stay, and number of connections combinations;" (Claim 1, 13) and therefore, fails to disclose all of the elements of claim 1 and 13 and claims 2-6 and 14 - 18 by virtue of the dependence upon claims 1 and 13 and respectfully request that the examiner's rejection of claims 1-6 and 13-18 be withdrawn.

Rejections under 35 USC §103

Claims 25 and 45 are rejected under 35 USC § 103 as being unpatentable over DeMarcken (US 6,275,808) in view of Walker et al. (2007/0208625A1). Applicants have carefully review DeMarcken and Walker and Applicants

respectfully submit that DeMarcken in view of Walker fails to establish a prima facie case of obviousness.

Claim 25, as currently amended, and claim 45 read in pertinent part:

> Claim 25 (currently amended) A method, using a computing device executing a program stored on a computer readable storage media for searching travel products and providing a plurality of alternative travel itineraries to the user comprising:
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> ... the computing device querying a travel database comprising travel data including separately maintained travel schedule data items, fare data items, and fare limitation information for matching itineraries with all possible departure and arrival airport, date, time, length of stay, and number of connections combinations;
>
> ... the computing device querying the user for a range of acceptable departure and arrival dates and times and a range of an acceptable length of stay;
>
> Claim 45 (Original)
>
> querying means for querying a travel database comprising travel data including separately maintained travel schedule data items, fare data items, and fare limitation information for matching itineraries with all possible departure and arrival airport, date, time, length of stay, and number of connections combinations; and
>
> querying means for querying the user for a range of acceptable departure and arrival dates and times and a range of an acceptable length of stay;

The examiner asserts that DeMarcken discloses "all possible departure and arrival airport, date, time, length of stay, and number of connections

combinations;" (Claim 25, 45). The examiner refers to column 59, lines 57-60 of DeMarcken which states, " Region 364 depicts a listing of airports in a region about the location entered in area 361, whereas area 364 lists origins and destinations of a flight slice (none shown) that has been selected for the query. In addition, in the entry area 361 the user can enter more than one airport or region." DeMarcken, thus, requires the user to choose from a list of airports which depends on the user having familiarity with airports in the region selected. The examiner further refers to Column 60 lines 31-67 which states in part, "The window 370 has a graphical region that provides a visual representation of pricing solutions extracted from the pricing graph 38." DeMarcken is limited to displaying combinations around pricing. The subject application is further distinguished from DeMarcken by providing the user with an extensive list of possible itineraries with various ways of sorting the user's choices "searching travel products and providing a plurality of alternative travel itineraries to the user... matching itineraries with all possible departure and arrival airport, date, time, length of stay, and number of connections combinations " (Claim 25)

The examiner argues that Walker discloses "querying the user for a range of acceptable departure and arrival dates and times and a range of an acceptable length of stay;" claim 25. The examiner refers to Walker [0174] which states "The description may include one or more condition values corresponding to the conditions Departure City, Departure Date, Departure Time, Arrival City, Arrival Date, Arrival Time, Airline, Class, or the like. In one embodiment, the condition values are specified in terms of a range, such as a Departure Time condition value of "1:00 pm to 4:00 pm". Walker states specific conditions for which an itinerary can be displayed but also fails to teach "matching itineraries with all possible departure and arrival airport, date, time, length of stay, and number of connections combinations" (Claims 25, 45). Neither DeMarcken nor Walker address calculating and generating a set of all feasible combinations of the user's itinerary as in the subject application. Thus, the references alone or in combination do not disclose, nor suggest, the novel features of claims 25 and 45 therefore, fail to establish a prima facie case of obviousness.

The examiner rejected claims 26 – 34 and 46-54 under 35 USC 103(a) as being unpatentable over DeMarcken in view of Walker in further view of Daughtrey et al. (US 7,346,526). Applicants have carefully reviewed DeMarcken, Walker and Daughtrey and Applicants respectfully submit that DeMarcken in view of Walker in further view of Daughtrey fail to establish a prima facie case of obviousness.

Claim 26 states, "The method of claim 25, wherein a set of feasible combinations of departure dates and times and arrival dates and times is generated."

The examiner argues that Daughtrey discloses "a set of feasible combinations..." The examiner refers to column 5, lines 19-34 of Daughtrey which states, "The travel application 16 has a calendar generator 65 that generates 70 a results calendar, highlighting properties of the best solution(s) corresponding to each departure date, and sends 72 the results calendar to the user. The user may select or modify filters (for example, to filter out solutions involving particular airlines or solutions involving prop planes). The process 60 returns to retrieve (again 68) another set of best solutions, by retrieving from its database only the subset of solutions matching the new filter criteria. The user may augment the query (again 62), either by requesting additional solutions for a date that has already been considered, or by asking the system to extend the permissible date range to new dates. In either case the system writes (again 66) newly discovered solutions to the solution set stored in the database 63. The search engine 21 informs (again 64) the web server 17 that solutions have been written. " Daughtrey further states, "Referring now to FIG. 3, the travel application 16 includes a process 60 for handling flexible date queries." (Column 4, lines 52-53). The "combinations of departure dates and times and arrival dates and times" the examiner points to in Daughtrey is limited to the date of departure/arrival, whereas, in the subject application, claim 26 and claim to 25 to which it depends includes not only dates and times but the combination of dates and times within the query of geographic region and other criteria. . In contrast, the subject

applications claims, "all possible departure and arrival airport, date, time, length of stay, and number of connections combinations " Claim 25. Daughtrey does not disclose calculated length of stay of each combination or a maximum number of combinations disclosed in the subject application. Therefore, DeMarcken in view of Walker and in further view of Daughtrey does not establish a prima facie case of obviousness and claim 26 is patentable as a result.

Regarding claims 27-34 and 46-54, as pointed out above, Daughtrey does not provide the " all possible departure and arrival airport, date, time, length of stay, and number of connections combinations " (claim 25, 45) and so does not cure the deficiencies of DeMarcken in view of Walker. Therefore, DeMarcken in view of Walker and in further view of Daughtrey does not establish a prima facie case of obviousness and claims 27-34 and 46-54 are patentable as a result.

CONCLUSION

Applicants respectfully submit that claims 1-6, 13-18, 25-34, and 45-54 are in condition for allowance. Accordingly, reconsideration and allowance of the application is requested. If the Examiner has any questions or comments, the Examiner is invited to call the undersigned at (949) 567-6700.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

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